

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

WISCONSIN ALUMNI RESEARCH
FOUNDATION,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 14-cv-00062-WMC

APPLE’S EXPERT NARRATIVES

Pursuant to the Court’s Procedures Governing Final Pretrial Submissions and Conference, Defendant Apple Inc. (“Apple”) hereby submits the following written narrative statements of its experts’ background and experience. (*See* Dkt. No. 204 at 12.)

1. David I. August, Ph.D.

Dr. August is Apple’s technical expert who has focused on the design and operation of Apple’s accused products. Dr. August will address Apple’s non-infringement defenses to the ’752 patent. [Dr. August will also address the performance benefit and value of the accused feature in Apple’s products, Apple’s patents covering processor inventions and the accused products, and Apple’s available non-infringing alternatives.]¹

Dr. August is a professor of Computer Science at Princeton University. Dr. August received his bachelor’s degree in Electrical Engineering from Rensselaer Polytechnic Institute. He received master’s and Ph.D. degrees in Electrical and Computer Engineering from the University of Illinois.

¹ The bracketed text in the narratives for David August and Robert Colwell describe the opinions that Drs. August and Colwell would offer during the damages phase of a bifurcated trial.

Dr. August leads a computer architecture research group at Princeton. He has over 100 publications in the field of computer architecture and has received numerous awards in recognition of the quality of his research. Dr. August is an active member of several professional organizations in the field of computer architecture, including the IEEE and Association for Computing Machinery. In 2015, Dr. August was elected an IEEE Fellow for his “contributions to compilers and architectures for multicore and parallel processing systems.”

2. Robert P. Colwell, Ph.D.

Dr. Colwell is Apple’s expert on the technological background relevant to this case, including the work that others in the field had done prior to the ’752 patent. Dr. Colwell will address the invalidity of the ’752 patent in light of the prior art. [Dr. Colwell also will address the value of the ’752 patent and the comparability of other license agreements from a technological perspective, as well as non-infringing alternatives available to Apple.]

Dr. Colwell received a bachelor’s degree in Electrical Engineering from the University of Pittsburgh. He received master’s and Ph.D. degrees in Computer Engineering from Carnegie Mellon University. Dr. Colwell has nearly 40 years of experience working in the field of computer architecture and processor design. In the 1990s, Dr. Colwell was the Chief Architect at Intel and was responsible for the design of Intel’s Pentium processors. From 2012 to 2014, Dr. Colwell was the Director of the Microsystems Technology Office at the Defense Advanced Research Project Agency, where he oversaw the development of a wide range of defense-related technologies.

Dr. Colwell has received numerous awards for his accomplishments in the field of computer architecture. In 2005, he received the Eckert-Mauchly Award for “outstanding achievements in the design and implementation of industry-changing microarchitectures.” In

2006, he was elected to both IEEE Fellow and to the National Academy of engineering for “contributions to turning novel computer architecture concepts into viable, cutting-edge commercial processors.” And in 2012, Dr. Colwell was inducted into the American Academy of Arts and Sciences.

3. Julie L. Davis, CPA

Ms. Davis is Apple’s expert on the appropriate measure of damages in the event that the ‘752 patent is found to be valid and infringed. Ms. Davis has a degree in Business Administration and Accounting from Kansas State University. She is also a Certified Public Accountant, or CPA. Ms. Davis earned the Gold Key award from the state of Kansas for the highest score in the state on the CPA exam. Ms. Davis is a licensed CPA in five states and has been inducted into the Kansas State University Accounting Hall of Fame.

Ms. Davis has been providing auditing and financial consulting services for more than thirty five years. She spent the early part of her career directing independent financial audits of private and publicly held companies. Ms. Davis served as the Co-Managing Partner of Global Intellectual Asset Consulting at Arthur Andersen, one of the biggest accounting firms in the world. Ms. Davis was also the Partner-in-Charge of the National Intellectual Property Practice at KPMG, another of the world’s most prestigious accounting firms. Drawing upon this experience, Ms. Davis has spent the last twenty seven years specializing in the valuation of intellectual property, including patents, and the calculation of damages in litigation, including patent cases. In 2003, Ms. Davis founded her own financial consulting firm, Davis & Hosfield Consulting. Ms. Davis has provided expert analysis of the proper measure of damages in dozens of patent infringement cases.

Ms. Davis has authored numerous publications relating to the calculation of damages in patent cases. She is a member of the American Institute of Certified Public Accountants and the Licensing Executive Society.

4. Richard L. Donaldson

Mr. Donaldson is Apple's expert on the patent licensing issues, including the licensing history of both Apple and WARF and which prior licenses entered into by the parties are relevant to the damages issues in this case. Mr. Donaldson holds a Bachelor of Science in Electrical Engineering from Kansas State University, a law degree from St. Louis University, and an advanced law degree known as an LL.M. degree specifically in patent and trade regulation law from George Washington University.

Mr. Donaldson was employed by Texas Instruments ("TI") for thirty-one years as a patent attorney, eventually holding the position of Senior Vice President and General Patent Counsel. At TI, Mr. Donaldson was responsible for all aspects of protecting and enforcing intellectual property, including the valuation of technology and intellectual property and negotiating license agreements for that technology or intellectual property. Mr. Donaldson was the lead negotiator in the great majority of the hundreds of patent licenses and dozens of technology licenses that TI entered during his tenure.

Since leaving TI, Mr. Donaldson has continued to work in the field of intellectual property licensing. He has written many articles on the subject of intellectual property licensing and has been a faculty member for many legal education programs relating to licensing issues and strategies. Mr. Donaldson has presented at industry conferences for the Licensing Executive Society, USC Law School, and the Texas Bar CLE, just to name a few. Dr. Donaldson is a

member of the Association of Corporate Patent Counsel, the Licensing Executives Society, the Intellectual Property Owners Organization.

5. Lorin M. Hitt, Ph.D.

Dr. Hitt is Apple's expert on the value of the feature of Apple's products that WARF has accused of infringement and consumer demand for the accused feature. Dr. Hitt is a Professor at the Wharton School of Business of the University of Pennsylvania, where he is currently the Dean's Chair Professor of Operations and Information Management.

He received his undergraduate degree in Electrical Engineering from Brown University, a master's degree in Electrical Engineering from Brown University, and a Ph.D. in Management from the MIT Sloan School of Business. Before he became a professor, Dr. Hitt worked as an engineer developing software and hardware for microprocessor testing for Harry Diamond Laboratories and the U.S. Army, and as and researcher for semiconductor fabrication and design for Brown University and IBM.

Dr. Hitt has worked extensively on the economics of the consumer electronics industry, including analyzing pricing, consumer behavior, features that affect consumer demand, and the economic impact and value of specific technologies and features. He has taught undergraduate and graduate classes at the University of Pennsylvania and MIT on understanding the effect that product features have on customer demand and product value. Dr. Hitt has provided expert analysis of the value of product features and the features that affect consumer demand in numerous litigations.

Dr. Hitt has published more than 30 papers in peer-reviewed journals. He also has won several awards for his research, including the National Science Foundation Career award. He has been a reviewer for prominent economic journals such as the American Economic Review,

the Quarterly Journal of Economics, and Marketing Science Dr. Hitt is a member of the Association for Computing Machinery and the American Economic Association.

Dated: August 28, 2015

Respectfully submitted,

/s/ Derek Gosma

David C. Marcus (*pro hac vice*)
Andrea J.W. Jeffries (*pro hac vice*)
Derek Gosma (*pro hac vice*)
WILMER CUTLER PICKERING
HALE AND DORR LLP
350 South Grand Avenue, Suite 2100
Los Angeles, CA 90071
Tel: (213) 443-5300
andrea.jeffries@wilmerhale.com
david.marcus@wilmerhale.com

William F. Lee (*pro hac vice*)
Lauren B. Fletcher (*pro hac vice*)
Bryan S. Conley (*pro hac vice*)
Andrew J. Danford (*pro hac vice*)
WILMER CUTLER PICKERING
HALE AND DORR LLP
60 State Street
Boston, MA 02109
Tel: (617) 526-6000
william.lee@wilmerhale.com
lauren.fletcher@wilmerhale.com
andrew.danford@wilmerhale.com

Mark D. Selwyn (*pro hac vice*)
WILMER CUTLER PICKERING
HALE AND DORR LLP
950 Page Mill Road
Palo Alto, CA 94304
Tel: (650) 858-6000
mark.selwyn@wilmerhale.com

Catherine Cetrangolo
CETRA LAW FIRM LLC
20 North Carroll Street, 2d Floor
Madison, WI 53703

Tel: 608-535-9220

Email: cetrangolo@cetralaw.com

Attorneys for Defendant Apple Inc.